

In the Matter of

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FCC MAIL ROOM

Petition by American Community
AM Broadcasters Association
(ACAMBA) to allow the use of FM
translators by Daytime-only AM
radio stations]

DA 98-2527
RM - 9419

COMMENTS OF

Don Davis
Newburgh Broadcasting Corporation
1180 Maple Lane
Newburgh, Indiana 47630

I, Don Davis, of Newburgh Broadcasting file these comments on January 8, 1999 in the FCC's inquiry into whether or not to allow the use of FM translators by daytime-only AM radio stations. (DA 98-2527. RM-9419) We wholeheartedly endorse the American Community AM Broadcasters Association (ACAMBA) proposal to allow the use of FM translators by daytime-only AM radio stations. It creates the relief we have so desperately sought for years. It gives us a chance to compete with other AM and FM radio stations, soon-to-be satellite radio, digital television, direct broadcast satellite, cable and computers, all of which are fulltime services.

Daytime AM radio broadcasters have worked long and hard to serve their communities, but many have fallen short because of the technical and competitive disadvantage of having to sign their stations off at dusk. In our case, during December we must leave the air at 4:30pm. It is our understanding that we are one of less than a hundred that must do so. It is very doubtful that any other technology could survive if not operating on a fulltime basis. Imagine AT&T, America-On-Line or CNN ceasing operation at sunset.

The ACAMBA proposal makes great sense. If approved, AM daytimers across the land (not just in Alaska or in Donelson, TN) would be able to better serve their communities with news and emergency information on a full, not just part-time basis. Isn't this in the public interest?

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Over the years, many ideas have come and gone that would have given relief to the AM daytimer, including:

*New AM antenna designs for the reduction or elimination of AM skywave interference at night have been deemed unsuitable.

*Regional, Mexican & Canadian clears were given nighttime authority in the middle 1980's. U.S. clear channel daytimers were given no relief and to this day must still sign-off at or prior to 6:00PM during the winter months and in most instances have no post-sunset and little if any pre-sunrise authorization.

*The expanded AM band was the next great hope, but it was determined that moving existing fulltime AM stations to the new frequencies would help reduce interference on the already crowded AM band. Only a small number of daytimers saw any relief and most of those were licensed to communities over 100,000.

*While AM digital with its superior 15 Khz. fidelity is very promising for AM radio, it is still susceptible to skywave interference at night, resulting in no relief for the AM daytimer.

Now, finally light at the end of the tunnel... hope for the AM daytime broadcaster in the form of a FM translator. FCC approval of the ACAMBA proposal will be just what the doctor ordered, a cure for what has ailed the daytimer for far too many years now.

Should the FCC take affirmative action on the ACAMBA proposal, we propose that the FM frequency at all times must simulcast its AM sister, with the exception being at night when the AM is silent. Furthermore, the FM translator frequency would be attached to the AM license so that upon any transfer or sale there would be no separation of the frequencies resulting in another standalone AM daytimer.

Before any action is taken by the commission on recent low power FM proposals by neighborhoods, churches, etc., we feel that AM daytimers should receive first consideration should any lower power FM frequency become available. Why? AM daytimers already have a track record of service to their communities and also because they have been battling for years to upgrade their facilities and have not just taken recent interest.

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In closing...this is it! Probably the AM daytimers last chance to be on an even playing field with the rest of the communications world for many years to come. To our knowledge, daytime-only radio stations are the only technology governed by the F.C.C. to operate on a parttime basis. With the approval of the ACAMBA proposal, the F.C.C. can finally lead AM daytimers into the 21st century able to compete and to better serve their communities around the clock.

We respectfully offer these comments with the hope that you, our commission, will see merit in the ACAMBA proposal and take affirmative action.

Submitted by:

Newburgh Broadcasting Corporation



Don Davis, President

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